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15  
16 IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

17  
18 SHANNON SOBASZKIEWICZ and KEVIN  
STERLING, individually and on behalf of all  
19 other similarly situated, and as a proxy of the  
State of California on behalf of aggrieved  
20 employees, and HERMAN OVERPECK,  
individually only,

21 Plaintiffs,

22 vs.

23 FEDEX CORPORATION; FEDEX GROUND  
PACKAGE SYSTEM, INC.,

24 Defendants.  
25

Case No. 4:18-cv-07553-PJH (DMR)

**FEDEX GROUND PACKAGE SYSTEM,  
INC.'S NOTICE OF CORRECTION TO  
REQUEST FOR JUDICIAL NOTICE IN  
SUPPORT OF ITS MOTION FOR  
SUMMARY JUDGMENT**

Date: July 28, 2022  
Time: 1:30 p.m.  
Dept: Courtroom 3 – 3rd Floor

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Case No. 4:18-cv-07553-PJH (DMR)

FEDEX GROUND PACKAGE SYSTEM, INC.'S NOTICE OF CORRECTION TO REQUEST FOR  
JUDICIAL NOTICE IN SUPPORT OF ITS MOTION FOR SUMMARY JUDGMENT

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Attorneys for Defendant  
FEDEX GROUND PACKAGE SYSTEM, INC.

1 On April 18, 2022, FedEx Ground Package System, Inc. submitted a Request for  
2 Judicial Notice in Support of its Motion for Summary Judgment. (ECF No. 375.) Exhibit 2 to  
3 the Request for Judicial Notice is a document entitled “Clarification Regarding Preemption  
4 Decision on California Meal and Rest Breaks.” (ECF No. 375-2.) That document states that a  
5 “more detailed public statement” addressing the retroactive effect of the FMCSA preemption  
6 determination is forthcoming. *Id.* The public statement that was later issued, the Federal Motor  
7 Carrier Safety Administration Legal Opinion of the Office of the Chief Counsel dated March  
8 22, 2019, is the document that FedEx Ground intended to attach as Exhibit 2 to the Request for  
9 Judicial Notice and is the document that FedEx Ground quoted from in the Request for Judicial  
10 Notice. That document is attached here denoted as Exhibit 2.

11 FedEx Ground requests that the Court replace Exhibit 2 to its Request for Judicial  
12 Notice in Support of its Motion for Summary Judgment, ECF No. 375, with replacement  
13 Exhibit 2 to this Notice of Correction, and consider it with FedEx Ground’s Request for  
14 Judicial Notice.

15 DATED: July 14, 2022

WHEELER TRIGG O’DONNELL LLP

16  
17 By: /s/ Jessica G. Scott  
18 JESSICA G. SCOTT  
19 Attorney for Defendant  
FEDEX GROUND PACKAGE SYSTEM,  
20 INC.  
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**CERTIFICATE OF SERVICE (CM/ECF)**

I HEREBY CERTIFY that on July 14, 2022, I electronically filed the foregoing **FEDEX GROUND PACKAGE SYSTEM, INC.'S REPLY IN SUPPORT OF MOTION FOR SUMMARY JUDGMENT NOTICE OF CORRECTION TO REQUEST FOR JUDICIAL NOTICE** with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following email addresses:

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Case No. 4:18-cv-07553-PJH (DMR)

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FEDEX GROUND PACKAGE SYSTEM, INC.'S NOTICE OF CORRECTION TO REQUEST FOR  
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